



# ZONING BOARD OF APPEALS MEETING MINUTES

**Thursday, April 29, 2021**

---

(Posted in accordance with the provisions of MGL Ch. 39, Sec. 23A, as amended)

**7:00 p.m.**

**City Hall Auditorium**

**62 Friend Street**

**Amesbury, MA 01913**

**Attendance:** Sharon McDermot (Chair), Donna Collins, Dave Haraske, Michael McCarthy, Matt Vincent

**Also in attendance:** Recording Secretary Janice Valverde

---

## AGENDA

### MINUTES of the March 25 meeting.

**CONTINUANCE of a Public Hearing** will be held by the City of Amesbury Zoning Board of Appeals at the Amesbury City Hall Auditorium, 62 Friend Street, Amesbury, MA on Thursday, April 29, 2021 at 7:00 pm, to consider the following:

David and Leslie Ishihara are seeking a SPECIAL PERMIT/FINDING under the Amesbury Zoning Bylaw, Section XI.K.2, to construct an in-law apartment within the existing structure. The property is located at 15 Olde Taverne Lane, Amesbury, MA in an R40 zoning district, (map 83, lot 30J) according to the Assessors database.

---

**Chair McDermot** called the meeting to order at 7:00 p.m.

She asks if all board members have had a chance to read the minutes of the March 25 meeting.

She asks if there is a motion to approve the minutes.

**Donna Collins** makes a motion to approve the minutes of March 25.

**Mike McCarthy** seconds the motion to approve the minutes of March 25

The motion is unanimously approved.

**Chair McDermot** invites David Ishihara to the podium to introduce himself and explain his request for a special permit/finding.

**David Ishihara** states that he wants to build an in-law apartment for his parents, who are aged 87 and 85. His plans are to convert the basement of his house which is a full walk-out basement.

He says he has provided complete plans for the space in his application package.

**Chair McDermot** asks the board if they have any questions for the applicant.

**Matt Vincent** confirms with the applicant that the basement is a full walk-out basement with door and windows. Applicant confirms that it is.

**Dave Haraske** asks about parking.

**Applicant** replies that they have a two-car garage and a driveway. The driveway will accommodate two cars, but the one in the back may extend a bit over the sidewalk but still allow plenty of clearance from the street. He says his parents own one car, but they do not drive any longer and that car will be sold.

**Matt Vincent** states that the application looks “pretty straightforward.”

**Chair McDermot** agrees and asks if there are any more questions. Given that there are none, she asks for a motion to close the hearing and proceed to discussion.

**Matt Vincent** makes a motion to close the hearing.

**Mike McCarthy** seconds the motion to close the hearing.

The board unanimously votes to close the hearing.

**Chair McDermot** asks the board if it is ready to proceed to the summary of findings. They say they are.

She asks if the use currently exists in the table of uses. All say “yes”.

She asks if it is essential/desirable to public convenience/welfare. All say “yes.”

She asks if will not create undue traffic/impeded pedestrian safety. All say “it will not.”

She asks Donna Collins to read the Special Conditions (Section XI) of the Zoning Bylaws pertaining to in-law apartments. Collins reads:

*The special permit shall be issued for an in-law apartment subject to the following requirements:*

- 1. The special permit will be issued for a period of five (5) years and will be renewable upon request providing the application continues to meet the requirements of the special permit. The special permit shall expire if the conditions of approval are not maintained or the in-law apartments ceases to be occupied as provided herein;*
- 2. Where new kitchen appliances have been added, they shall be removed within six (6) months of the expiration of the special permit and the Building Inspector shall report such removal to the Zoning Board of Appeals;*
- 3. There shall not be separately metered electric or water service to the in-law apartment;*
- 4. All safety, health and building codes are to be met;*
- 5. There shall be no boarders or lodgers within either unit of the dwelling with an accessory in-law apartment.*
- 6. There shall be parking for one (1) additional car for the in-law apartment; and*
- 7. If the in-law apartment becomes vacant, the owner must report the vacancy to the Building Inspector within 60 days and the owner will be given six (6) months to remove all the kitchen appliances.*

**Chair McDermot** asks if it will impair the character/health/welfare of the district? All reply, "It will not."  
She asks if it will not create excess use in the neighborhood. All reply, "It will not."

**Chair McDermot** states that it appears that the proposed in-law apartment is in full compliance with the special conditions.

She asks if there is a motion to approve or disapprove the application.

**Mike McCarthy** makes a motion to approve the application.

**Dave Haraske** seconds the motion to approve the application.

The application is unanimously approved by the Board.

**McDermot** asks if there is any further business to discuss at the meeting. As there is none, she asks if there is a motion to adjourn the meeting.

**Donna Collins** makes a motion to adjourn the meeting.

**Matt Vincent** seconds the motion to adjourn the meeting.

The meeting is adjourned by unanimous vote of the Board.

**McDermot** adjourns the meeting at 7:16 p.m.